UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/933,819	08/22/2001	Shoichi Kamano	032865-012	7236

7590 10/17/2005	**EXAMINER**
William C. Rowland	MEONSKE, TONIA L
BURNS, DOANE, SWECKER & MATHIS, L.L.P.	

ART UNIT	PAPER NUMBER
2181	

P.O. Box 1404
Alexandria, VA 22313-1404

DATE MAILED: 10/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>22 August 2005</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1,4-6,8 and 11</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1,4-6,8 and 11</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2.   Claims 1, 4-6, 8, and 11 are rejected under 35 U.S.C. 102(b) as being clearly anticipated

by Moorer, US Patent 4,497,023 (herein referred to as Moorer).

3.   Referring to claim 1, Moorer has taught a data processing system comprising:

a.   at least one special purpose data processing unit for executing a series of

predetermined data processes by a special purpose instruction (Figure 1, elements 30 and

32, Figure 2, abstract, column 6, lines 31-35, column 7, lines 7-24, A DSP executes a

series of timed commands.); and

b.   a general purpose data processing unit for executing processes designated by

general purpose instructions (Figure 1, element 14 and 16, column 8, lines 24-41, column

6, lines 10-20);

c.   wherein the at least one special purpose data processing unit includes:

d.   a dedicated circuit portion specialized in specific data processes (abstract, column

6, lines 31-35, column 7, lines 7-24, Figure 1, elements 30 and 32, Figure 2 is a DSP

which includes a circuit dedicated to processing special digitized audio instructions.);

e.   a sequence control portion that supplies first control signals for controlling the

dedicated circuit portion in accordance with a predetermined processing procedure

(Abstract, Figure 1, column 7, lines 6-24, Timed commands are originated and sequenced from the master support controlling computer, element 24.The signals are supplied in accordance with a predetermined timing processing procedure.); and

f.   a selector for selectively supplying the dedicated circuit portion with selected control signals between the first control signals supplied from the sequence control portion and second control signals supplied from the general purpose data processing unit, the second control signals superseding the first control signals and the general purpose data processing unit being able to control the dedicated circuit portion instead of the sequence control portion (Figures 1 and 2, column 6, lines 27-30, column 8, lines 20-57, column 11, line 15-column 12, line 34, The update arbitration and the update queues in the DSP's selectively supply the timed commands, or first control signals, and the untimed commands, or the second control signals, for execution in the dedicated circuit portion. Elements 22 and 24 select which commands to supply and execute.).

4.   Referring to claim 4, Moorer has taught a data processing system according to claim 1, as described above, and further comprising:

a.   a fetch unit for fetching the special purpose instruction and the general purpose instructions from a recording means where a program having the special purpose instruction and the general purpose instructions are recorded and for supplying the special purpose data processing unit with the special purpose instruction (column 16, lines 49-68).

5.   Referring to claim 5, Moorer has taught a data processing system according to claim 4, as described above, and wherein the general purpose data processing unit is able to supply the

second control signals based on at least one of the general purpose instructions (Figure 1,

element 14 and 16, column 8, lines 24-57).

6.   Referring to claim 6, Moorer has taught a data processing system according to claim 1, as

described above, and wherein the selection means is controlled by the general purpose data

processing unit (column 11, lines 36-45, Untimed commands from elements 14 and 16 are given

priority over timed commands from element 24. The untimed commands from the general

purpose data processing unit are given priority over the timed commands.).

7.   Referring to claim 8, Moorer has taught a control method of a data processing system

comprising at least one special data processing unit for executing a series of predetermined data

processes by a special purpose instruction (Figure 1, elements 30 and 32, Figure 2, abstract,

column 6, lines 31-35, column 7, lines 7-24, A DSP executes a series of timed commands.) and a

general purpose data processing unit for executing processes designated by general purpose

instructions (Figure 1, element 14 and 16, column 8, lines 24-41, column 6, lines 10-20), wherein

the at least one special purpose data processing unit includes: a dedicated circuit portion

specialized in specific data processes (abstract, column 6, lines 31-35, column 7, lines 7-24,

Figure 1, elements 30 and 32, Figure 2 is a DSP which includes a circuit dedicated to processing

special digitized audio instructions.); a sequence control portion that supplies first control signals

for controlling the dedicated circuit portion in accordance with a predetermined processing

procedure (Abstract, Figure 1, column 7, lines 6-24, Timed commands are originated and

sequenced from the master support controlling computer, element 24.The signals are supplied in

accordance with a predetermined timing processing procedure.), and a selector for supplying the

dedicated circuit portion with selected control signals between the first control signals supplied

from the sequence control portion and second control signals supplied from the general purpose

data processing unit (Figures 1 and 2, column 6, lines 27-30, column 8, lines 20-57, column 11,

line 15-column 12, line 34, The update arbitration and the update queues in the DSP's selectively

supply the timed commands, or first control signals, and the untimed commands, or the second

control signals, for execution in the dedicated circuit portion. Elements 22 and 24 select which

commands to supply and execute.), comprising:

> a.   a first step of controlling the dedicated circuit portion with a series of the first
>
> control signals based on the special purpose instruction (abstract, column 4, line 48-
>
> column 5, line 9, Executing the untimed commands.); and
>
> b.   a second step of controlling the dedicated circuit portion with the second control
>
> signals based on at least one of the general purpose instructions (abstract, column 4, line
>
> 48-column 5, line 9, Executing the timed commands.), the second control signals
>
> superseding the first control signals and the general purpose data processing unit
>
> controlling the dedicated circuit portion instead of the sequence control portion (abstract,
>
> column 4, line 48-column 5, line 9).

8.   Referring to claim 11, Moorer has taught a program product within a readable medium

executed on a data processing system for controlling the data processing system, the program

product has general purpose instructions for a general purpose data processing unit (Figure 1,

element 14 and 16, column 8, lines 24-41, column 6, lines 10-20) and a special purpose

instruction for a special purpose data processing unit (Figure 1, elements 30 and 32, Figure 2,

abstract, column 6, lines 31-35, column 7, lines 7-24, A DSP executes a series of timed

commands.), the special purpose data processing unit comprising: a dedicated circuit portion

specialized in specific data processes (abstract, column 6, lines 31-35, column 7, lines 7-24,

Figure 1, elements 30 and 32, Figure 2 is a DSP which includes a circuit dedicated to processing

special digitized audio instructions.) a sequence control portion that supplies first control signals

for controlling the dedicated circuit portion in accordance with a predetermined processing

procedure (Abstract, Figure 1, column 7, lines 6-24, Timed commands are originated and

sequenced from the master support controlling computer, element 24.The signals are supplied in

accordance with a predetermined timing processing procedure.), and a selector means for

supplying the dedicated circuit portion with selected control signals between the first control

signals supplied from the sequence control portion and second control signals supplied from the

general purpose data processing unit (Figures 1 and 2, column 6, lines 27-30, column 8, lines 20-

57, column 11, line 15-column 12, line 34, The update arbitration and the update queues in the

DSP's selectively supply the timed commands, or first control signals, and the untimed

commands, or the second control signals, for execution in the dedicated circuit portion.

Elements 22 and 24 select which commands to supply and execute.),

> a. wherein the special purpose instruction is an instruction to supply the dedicated
> circuit portion with the first control signals (column 6, lines 19-30, column 4, line 48-
> column 5, line 9, timed commands), and

> b. wherein the general-purpose instructions includes a priority instruction that is
> converted into the second control signals that supersede the first control signals and
> control the dedicated circuit portion instead of the sequence control portion (column 6,
> lines 7- 30, column 4, line 48-column 5, line 9, untimed commands).

Response to Arguments

9.   Applicant's arguments with respect to claims 1, 4-6, 8, and 11 have been considered but

are moot in view of the new ground(s) of rejection.

Conclusion

10.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

11.   A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

12.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Tonia L. Meonske whose telephone number is (571) 272-4170.

The examiner can normally be reached on Monday-Friday, with every other Friday off.

13.   If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Dov Popovici can be reached on (571) 272-4083. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

14.   Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

tlm   DOV POPOVICI
                                                    SUPERVISORY PATENT EXAMINER
                                                      TECHNOLOGY CENTER 2100